

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

GARY ALLEN VARNEY,

Plaintiff,

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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Case No. 10-11082

Hon. Gerald E. Rosen

Magistrate Judge Mark A. Randon

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on June 3, 2011

PRESENT: Honorable Gerald E. Rosen  
Chief Judge, United States District Court

On February 10, 2011, Magistrate Judge Mark A. Randon issued a Report and Recommendation ("R & R") recommending that the Court grant the Defendant Commissioner of Social Security's motion for summary judgment and deny Plaintiff Gary Allen Varney's motion for summary judgment. No objections have been filed to the R & R. Upon reviewing the R & R, the parties' cross-motions for summary judgment, and the record as a whole, the Court fully concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's February 10, 2011 Report and Recommendation is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED that, for the reasons stated in the R & R, Defendant's motion for summary judgment (docket #10) is GRANTED, and Plaintiff's motion for summary judgment (docket #7) is DENIED.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: June 3, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 3, 2011, by electronic and/or ordinary mail.

s/Ruth A. Gunther  
Case Manager